IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 16994 of 2004

Between:

Ch. Venkata Surender, S/o. Ch.B.K. Madhusudana Rao,
R/o. P.W.D.No.C-1, Opp: Sir C.R.R. College Eluru,
West Godavari District.

..... PETITIONER

AND

1 The Chief Minister Grievance Cell, Government of Andhra Pradesh,
Rep. by its Principal Secretary, Secretariat, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction more in the nature of Writ of Mandamus declaring the action of the respondent in not producing the records bearing file No. 865/C MGC/95 dt. 28-3-95 as illegal, arbitrary and consequently direct the respondent to produce the file No. 865/C MGC/95 dt. 28-3-95 before this Hon'ble Court forthwith.

Counsel for the Petitioner:MR.P.JAGADISH CHANDRA PRASAD

Counsel for the Respondent: GP FOR GENERAL ADMINISTRATION DEPARTMENT

The Court at the stage of admission made the following ORDER:

The stale claim of the petitioner cannot be decided by entertaining the present writ petition since the allegation stated in the writ petition is that the Ex-Chief Minister promised to secure a job to the petitioner and for due implementation of the same, he has already filed WP.No.19984 of 1999. The said writ petition was disposed of with a direction to the respondent to dispose of the representation of the petitioner. Subsequently, a contempt case in C.C.No.324 of 2003 was filed stating that the respondent failed to consider the claim of the petitioner. In the said contempt case, it is reported that no such file, which records promises, as claimed by the petitioner was available and accordingly, the same was closed. Again, the present writ petition is filed to produce the records with regard to the very same file.

In view of the fact that the file, which is incapable for production and not traceable as no such file is maintained, which was submitted by the petitioner to the grievance cell of the Chief Minister ten years ago, the writ petition is liable to be dismissed.

The writ petition is accordingly dismissed. No costs.

22nd SEPTEMBER, 2004.

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To

1 The Principal Secretary, Chief Minister Grievance Cell, Government of Andhra Pradesh, Secretariat, Hyderabad.
2 Two CCs to the Government Pleader for General Administration Department, A.P.High Court Buildings, Hyderabad.(OUT)
3 Two CD copies.